



Attorney Docket No.: 60188-714
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Kunimasa TAKAHASHI, et al. : Customer No.20277
Serial No.: 10/716,497 : Confirmation No.: 6687
Filed: November 20, 2003 : Group Art Unit: 2822
For: SiC-MISFET AND METHOD FOR FABRICATING THE SAME : Examiner: IDA M. SOWARD

**ELECTION UNDER 35 U.S.C. § 121
AND PETITION FOR EXTENSION OF TIME**

Mail Stop Fee Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petition for Extension of Time -- Applicants petition for an extension of time of the due date for response for an additional one month, i.e., up to and including May 14, 2005. Please charge the fee of \$110.00 as required by 37 C.F.R. § 1.17(a)(1) for this petition to Deposit Account No. 50-0417. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

In response to the restriction requirement set forth in the Office Action mailed March 14, 2005, having a shortened statutory period for response set to expire April 14, 2005, wherein the Examiner required restriction between the following distinct

Groups:

04/18/2005 JADDD1 00000093 500417 10/16497
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Group I - Claims 1-10, drawn to SiC-MISFET; and

Group II - Claims 11-12, drawn to a method for fabricating a SiC-MISFET.

Applicants elect without traverse, Group I, for initial prosecution on the merits.

Applicants also reserve the right to file a Divisional Application for the non-elected claims 11-12, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 4/15/05

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